

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 2551-69

MAERTENS, et al.

C# M#

Serial No. 09/995,860

/A.U. 1648

Filed: November 29, 2001

Examiner: LI, BAO Q

Date: July 14, 2004

Title: PURIFIED HEPATITIS C VIRUS ENVELOPE PROTEINS FOR DIAGNOSTIC AND THERAPEUTIC USE



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 0 minus highest number
previously paid for 20 (at least 20) = 0 x \$ 18.00 \$ 0.00

Independent claims after amendment 0 minus highest number
previously paid for 3 (at least 3) = 0 x \$ 86.00 \$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months) \$ 0.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

Subtotal \$ 0.00

If "small entity," then enter half (1/2) of subtotal and subtract -\$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 180.00

Assignment Recording Fee (\$40.00) \$ 0.00

Attached: 14 references and PTO 1449 Form listing references - Amendment and Petition separately filed
herewith 0.00

TOTAL FEE ENCLOSED \$ 180.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
BJS:

NIXON & VANDERHUYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Patent Application of

MAERTENS, et al.

Atty. Ref.: 2551-69

Serial No. 09/995,860

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For: PURIFIED HEPATITIS C VIRUS ENVELOPE PROTEINS
FOR DIAGNOSTIC AND THERAPEUTIC USE

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 14, 2004

Sir:

INFORMATION DISCLOSURE STATEMENT

- ☐ 1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**
[within 3 months of filing or prior to 1st Office Action on the merits]
N/C
- ☐ 2.(a) **Statement Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
N/C
- ☒ 2.(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**
[before Final Office Action or Allowance (requires Rule 97(e)
Statement or Rule 17(p) fee)]
\$180.00
- ☐ 3. **Pursuant to 37 CFR 1.97(d)**
[after Final Office Action or Allowance (requires Rule 97(e)
Statement and Rule 17(p) fee), but before final fee payment]
\$180.00

The following are submitted in the above-identified application in compliance with
37 C.F.R. §§ 1.97 and 1.98:

- ☒ 4. A list of documents on Form PTO-1449 together with copies of each
identified document and a translation or a concise explanation of

each non-English language document (such as a Search Report) is enclosed herewith.

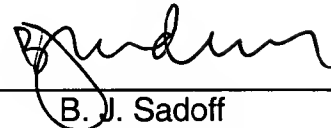
This paper is submitted in accordance with:

- ☐ 5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]
- ☒ 6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
 - ☐ a) The required Statement made in item 8 below; or
 - ☒ b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.
- ☐ 7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and
 - ☐ a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and
 - ☐ b) The required Statement is stated in item 8 below.
- ☐ 8. Statement under 37 CFR 1.97(e)
 - ☐ a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or
 - ☐ b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- ☒ 9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

MAERTENS, et al.
Serial No. 09/995,860
July 14, 2004

Respectfully submitted,
NIXON & VANDERHYE P.C.

By: _____

A handwritten signature in black ink, appearing to read "B. J. Sadoff", written over a horizontal line.

B. J. Sadoff
Reg. No. 36,663

1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

SERIAL NO.

09/995,860

~~APPLICANT~~

LAERTENS, et al.

(Use several sheets if necessary)

~~ISSUING DATE~~

November 29, 2001

GROUP

1648

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	Doc. No.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
.	165	6,613,333	9/2003	Leroux-Roels et al			
-	322	6,245,503	6/2001	Maertens et al			
"	67	6,150,134	11/2000	Maertens et al			
.							

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

156	Leroux-Roels et al. 2001 (Hepatology 34, 449A)
157	Nevens et al. 2003 (Hepatology 38, 1289-1296)
158	Pawlotsky and McHutchison 2003 (Hepatology 39, 554-567)
106	Botarelli et al. 1993 (Gastroenterology 104, 580-587)
160	Major et al. 2002 (J Virol 76, 6586-6595)
161	Bassett et al. 2001 (Hepatology 33, 1479-1487)
162	Weiner et al. 2001 (J Virol 75, 7142-7148)
163	Mehta et al. 2002 (Lancet 359, 1478-1483)

*Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Form PTO-FB-A820 (Also PTO-1449)